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APPLICATION NO. 09/281,806	FILING DATE 02/17/99	FIRST NAMED INVENTOR HEIN	ATTORNEY DOCKET NO. W
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WILLIAM PATRICK WATERS  
P O BOX 8  
SAN MARCOS CA 92079-0008

MM21/0331

EXAMINER TON, A
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ART UNIT 2875	PAPER NUMBER
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DATE MAILED:

03/31/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/251,306

Applicant(s)

HEIN ET AL.

Examiner

Anabel M Ton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,10-18,21,22,26,27-35,39 is/are rejected.
- 7) ☒ Claim(s) 2,19,20,23,24,25,36,37,41,42 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 14) ☒ Notice of References Cited (PTO-892)
- 15) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Title*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: “ **Light fixture having a plurality of light reflecting fins**”.

### *Claim Objections*

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 1-43 have been renumbered 1-42. Claim 26 was missing.

3. Claim 42 is objected to because of the following informalities: In line 3, between “there within” and “lamp”, “of” should be changed to “the”. Appropriate correction is required.

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***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 5-9, 10-18,21,22,26,27-35 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (US Pat. 1,654,974).

Johnson discloses a light feature having:

- a base for housing a light producing source; Figure 2
- a lens covering a portion of the base; part L
- a plate disposed within the base; 12
- a plurality of light reflecting fins affixed to the plate and projecting from the plate in a direction away from the plate; Figure 2, part 13
- The plate including means formed therein for defining a well, such well including a plurality of light reflecting walls each one of the light reflecting walls having a trapezoidal configuration; Figure 2, parts 10,12,13.
- The well defining means including a light reflecting front wall; Figure 2 parts L and F.
- the well means including a light reflecting rear wall; Figure 2 part R

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- Each one of the plurality of light reflecting side walls including a flange and means for fastening the flange to the plate; Figure 2, part 15.
- each fixture including a front wall and a light reflecting element disposed on the plate between the well and the front wall; Figures 1 and 2
- The light reflecting element includes a light reflecting surface being inclined, with reference to the plate at an angle between 30 and 50 degrees; Figures 1 and 2.
- The light reflecting element including a light reflecting surface being inclined with a reference to the plate at an angle of about 45 degrees; Figure 1.
- The lighting fixture including a rear wall and a light reflecting element disposed on a plate between the well and the rear wall; Figures 1 and 2.
- A pair of light reflecting assemblies, each one of the light reflecting assemblies being disposed laterally of a line bisecting the base; Figure 1.
- One of the light reflecting assemblies includes a plurality of light reflecting fins.

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- The first one of each of the plurality of light reflecting fins is a trapezoidal in configuration.
- The plurality of light reflecting fins including a third fin.
- The third one of the plurality of light reflecting fins is disposed at a 45 degree angle to a plane bisecting the front light reflecting element and the rear light reflecting element.
- The light fixture including securing means.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson.

8. Johnson discloses the claimed invention except for a switch means for interrupting and restoring electrical power to the light source and wire routing means for routing wire into the base. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a switch means for interrupting and restoring electrical power which is a common type of method to control electrical input

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into lamps and a wire routing means for routing wire into the base to provide the lamp with electrical power. These two means are well known in the art.

***Allowable Subject Matter***

9. Claims 2,19,20,23,24,25,36, 37,41, and 42 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Allowable subject matter:

- A convex lens.
- First one of each plurality of light reflecting fins is canted laterally away from the perpendicular with reference to said plate and at an angle of between 65 and 75 degrees.
- First of plurality of light reflecting fins is elongated, having a long axis parallel to a plane bisecting the front light reflecting element and the rear-reflecting element.
- Second of each of the plurality of light reflecting fins includes an edge, the edge extending laterally to the first one of each of the plurality of light reflecting fins

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- Second of each of the plurality of light reflecting fins is elongated, having a long axis forming an angle of about 30 degrees to a plane bisecting the front light reflecting element and the rear light reflecting element.
- A pair of sidewalls, a front wall, a rear wall and a bottom wall wherein the bottom wall is configured to receipt there within of light ballast means.
- A pair of sidewalls, the front wall and the bottom wall defines a space within the base, this space being suitable for disposition there within the lamp ballast.
- The second one of each plurality of light reflecting fins is canted laterally from the perpendicular with reference to the plate at an angle of between 55 and 65 degrees.

### ***Drawings***

10. The drawings are objected to under 37 CFR 1.83(a) because they fail to show parts 25 and 73 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Correction is required.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bracken et al.



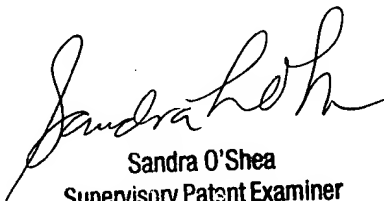
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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

AMT  
March 23, 2000

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800